



# San Patricio County Substantial Damage Plan

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## San Patricio County Substantial Damage Plan

### *I. Purpose*

The purpose of a Substantial Damage Plan (SDP) is to specify the actions to be taken to evaluate what damage has occurred to structures within the regulatory floodplain after an event. The SDP also details the parties responsible and timeline for each action to be completed. By adopting this plan, San Patricio County, Texas is helping ensure it is prepared to meet the Substantial Damage (SD) requirements of the National Flood Insurance Program (NFIP) and support its residents residing in the floodplain.

### *II. Substantial Improvement and Substantial Damage Determination Overview*

#### *A. Introduction to Substantial Improvement and Substantial Damage*

Communities that participate in the NFIP are required to assess structures within the regulatory floodplain for Substantial Improvement (SI) when structures are being maintained and updated (e.g., renovated or added onto). An improvement to a structure is an SI if the total cost of the improvement is more than 50% of the structure's market value before any improvements are made to it. When a structure is substantially improved it generally needs to be brought into compliance with current floodplain regulations.

NFIP participating communities are also required to assess whether structures are Substantially Damaged (SD) after any event occurs that causes damage to a structure(s) within the regulatory floodplain. Damage events are not limited to floods; they can also be structure fires, windstorms, wildfires, earthquakes, etc. A structure is considered SD if the cost to repair the damage is more than 50% of the value of the structure before the damage occurred. If a structure is substantially damaged, then it will generally have to be built back in compliance with the current floodplain regulations, which may require significant changes to the location and design of the structure.



It is important to note that an SD assessment is a determination of the estimated cost of repairs based on the amount of damage evident; it is not equivalent to and should not be construed as a safety assessment, Texas Division of Emergency Management (TDEM) iSTAT and pSTAT survey, or other types of assessment that may be conducted after a damage event by a local community emergency management department.

## B. NFIP Requirements

NFIP communities are required to complete SD assessments for any damaged structures within the regulatory floodplain after a damage event occurs. After an assessment is completed, communities must make SD determinations and issue determination letters for any structures that are deemed to be SD. The community must also maintain records of all SD structures and ensure that any repairs or improvements made to them comply with SD/SI requirements under the NFIP.

## C. Introduction to DRRA 1206

The Disaster Recovery Reform Act (DRRA) 1206 provides a method for communities to be reimbursed for some costs associated with conducting SD assessments and determinations when a damage event occurs. Section 1206 of the DRRA of 2018 authorizes the Federal Emergency Management Agency (FEMA) to aid communities with administering and enforcing their floodplain management and building code regulations following a major disaster declaration through FEMA's Public Assistance (PA) program. This assistance is only available for disasters that have received a presidential disaster declaration.

## D. Community Staff Roles

Local community staff are responsible for overseeing and conducting SD assessments and determinations for all damaged structures as soon as it is safe to do so after a damage event. This includes review of structures, communication with property owners, issuing SD determination letters, and maintaining records of SD structures.

Community staff are also responsible for providing residents with timely information about the SD assessment and determination process and requirements. In addition, community staff are required to report to FEMA and their state floodplain management office regarding SD assessments and determinations to verify compliance with NFIP SD requirements.

## E. State and FEMA Roles

FEMA manages community NFIP participation. The Texas Water Development Board (TWDB) is the State NFIP Coordinating Agency. The state and FEMA can provide communities with training on conducting SD assessments and determinations, as well as tools and resources to support these activities. FEMA (or the state on FEMA's



behalf) will also review community SD assessment and determination activities to ensure compliance with NFIP SD requirements.

## F. Tools and Resources

FEMA has SI and SD resources to assist communities with conducting SI and SD assessments and determinations including, but not limited to:

- FEMA Substantial Improvement / Substantial Damage Desk Reference, P-758, May 2010, ([https://www.fema.gov/sites/default/files/2020-08/fema\\_p\\_758\\_complete\\_r3\\_0.pdf](https://www.fema.gov/sites/default/files/2020-08/fema_p_758_complete_r3_0.pdf))
- FEMA Substantial Damage Quick Guide (<https://www.fema.gov/fact-sheet/substantial-damage-quick-guide>)
- FEMA Answers to Questions about Substantially Improved / Substantially Damaged Buildings, FEMA 213, August 2018, ([https://www.fema.gov/sites/default/files/2020-07/fema\\_p213\\_08232018.pdf](https://www.fema.gov/sites/default/files/2020-07/fema_p213_08232018.pdf))
- FEMA Substantial Damage Estimator Tool, (<https://www.fema.gov/emergency-managers/risk-management/building-science/substantial-damage-estimator-tool>)

The TWDB can provide technical assistance and training. To learn more contact [flood@twdb.texas.gov](mailto:flood@twdb.texas.gov) or visit <https://www.twdb.texas.gov/flood/cap.asp>.

## III. Substantial Damage Assessment & Communication Procedures

### A. Roles and Responsibilities

The San Patricio County has designated the following staff as being responsible for completing each of the SD assessment, determination, reporting, and outreach activities specified in Table 1.

**Table 1. San Patricio County SD Assessment and Communication Activities and Staff Assignments**

Activity	Designated Staff
<i>Conduct outreach to floodplain residents regarding SI and SD in advance of a damage event.</i>	<i>Floodplain Administrator, Public Information Officer (PIO)</i>
<i>Coordinate with Emergency Management team to identify structures in the SFHA that incurred damage.</i>	<i>Floodplain Administrator, Emergency Manager</i>
<i>Organize and conduct SD assessments.</i>	<i>Floodplain Administrator, San Patricio County Authorized employees, Emergency Manager, etc.</i>



<i>Review SD assessment data and identify SD structures.</i>	<i>Floodplain Administrator</i>
<i>Prepare SD determination letters for SD structures and distribute to property owners.</i>	<i>Floodplain Administrator</i>
<i>File and document SD determinations for all SD properties.</i>	<i>Floodplain Administrator, Administrative staff</i>
<i>Report SD structure information to FEMA and State upon request.</i>	<i>Floodplain Administrator</i>

## **B. Internal Coordination Procedures**

The San Patricio County will follow established coordination procedures to ensure that all internal staff and departments are informed regarding the SD assessment, determination, reporting, and other related activities. Communication between internal departments and staff is essential to ensure the San Patricio County can effectively implement this SD Plan and maintain compliance with NFIP SD requirements.

The internal coordination procedures are detailed below.

### **Pre-Damage Event Internal Communication Procedures**

San Patricio County Floodplain Manager will present plan to commissioner court for approval from county leadership.

### **During Damage Event Internal Communication Procedures**

The Floodplain Manager will communicate with the Emergency Manager to provide information about the boundaries of the regulatory floodplain and coordinate SD assessments with other community response activities.

### **Post-Damage Event Internal Communication Procedures**

The Floodplain Manager will communicate with community leadership regarding the SD assessment findings and impacts on re-development.

## **C. Other Stakeholder Engagement**

### **1. State, FEMA, and Other Agencies**

The San Patricio County Floodplain Office will coordinate with the State, FEMA, and other relevant state and federal agencies before, during, and after a damage event. The



San Patricio County Floodplain Office will engage with the State and FEMA on the following:

- Training and support for conducting SD assessments and determinations
- SD Plan development and updates
- Communicating SD requirements and implications to community leadership before, during, and after a damage event
- Reporting post-damage event SD assessment and determination actions and SD structure information
- SD tools, resources, and guidance

## 2. Private and Non-Profit Organizations

The San Patricio County Floodplain Office will provide information about SD assessment and determination requirements to private and non-profit organizations involved in damage event response and post-damage event rebuilding. Doing so will ensure they are aware of the importance and requirement for SD assessments and determinations to occur prior to any repairs being made.

## D. Public Outreach

The San Patricio County Floodplain Office will conduct public outreach regarding SD requirements including assessments and determinations prior to, during, and after a damage event. Specific public outreach activities and the parties responsible for each activity are detailed in Table 2.

**Table 2. San Patricio County Floodplain Office Public Outreach Activities and Staff Responsibilities**

Prior to Damage Event	
Outreach Activity	Designated Staff
<i>Notice to property owners and structure residents (Online) within regulatory floodplain explaining what SI and SD are and the NFIP requirements associated with them. Notice will include information about the requirement for SD assessments and determinations as well as floodplain permits prior to making repairs to damage.</i>	<i>Floodplain Administrator,</i>
<i>Outreach documentation regarding SI and SD is made available in permitting office.</i>	<i>Floodplain Administrator, Permitting Staff</i>
During Damage Event	
Outreach Activity	Designated Staff
<i>Notice to property owners and structure residents (letter, online, and press release) within regulatory floodplain</i>	<i>Floodplain Administrator, Emergency Manager, PIO</i>



<i>that prior to repairing damage they will need a floodplain permit and SD assessment and determination.</i>	
Post-Damage Event	
Outreach Activity	Designated Staff
<i>Notice (letter, online, press release) to property owners and structure residents within regulatory floodplain that SD assessments will be taking place.</i>	<i>Floodplain Administrator,</i>
<i>Distribute SD determination letters to SD structures</i>	<i>Floodplain Administrator</i>
<i>Notice (letter, and online) to property owners and residents that if a structure is SD, then rebuilding activity must comply with current floodplain regulation requirements for structure location, design, and construction.</i>	<i>Floodplain Administrator, PIO</i>

#### E. Resources and Templates

The San Patricio County Floodplain Office has established templates for public outreach letters, press releases, and online postings that will be utilized for conducting outreach.

FEMA also has templates for community notification letters, specifically SD determination letters in their *Substantial Improvement/Substantial Damage Desk Reference Guide*, (May 2010) available online at [https://www.fema.gov/sites/default/files/2020-08/fema\\_p\\_758\\_complete\\_r3\\_0.pdf](https://www.fema.gov/sites/default/files/2020-08/fema_p_758_complete_r3_0.pdf).

#### F. Recordkeeping

The San Patricio County Floodplain Office commits to maintaining in perpetuity all records relating to SD assessments and determinations, and all other records associated with SD activities and this SD Plan.

San Patricio County Floodplain Office will be responsible for maintaining records of SD activities

### IV. Substantial Damage Permitting

#### A. Tracking and Reviewing Permits for Substantially Damaged Structures

Under the NFIP, communities are required to track and review permits for SD structures to ensure any development activity associated with those structures complies with local floodplain regulations and NFIP requirements for SD structures.



The community San Patricio County Floodplain Office will track permits for SD structures using Iworq.

## **B. Permitting and Regulatory Requirements for Substantially Damaged Structures**

Per the San Patricio County Flood Prevention Order. SD structures are required under the NFIP to be rebuilt in compliance with current floodplain regulations (with limited exceptions for historic structures, etc.). The requirements that pertain to each specific structure depend on the structure type, location, and other factors and are detailed in the [https://www.sanpatriciocountytx.gov/upload/page/0099/docs/2021-June Revised SPC Flood Damage Prevention Order.pdf](https://www.sanpatriciocountytx.gov/upload/page/0099/docs/2021-June_Revised_SPC_Flood_Damage_Prevention_Order.pdf) an Enforcement and Violations

The San Patricio County Floodplain Office will track SD structures to ensure permits are submitted for any development activity related to the repair or improvement of those structures. In addition, all permits will be reviewed for compliance with the local floodplain regulations to ensure SD structures are repaired or improved in compliance with the NFIP requirements.

Development activity related to SD structures will be permitted through the San Patricio County Floodplain Office standard floodplain permitting process and will be reviewed and inspected in accordance with standard procedures. Any development activity that is found not to comply with the permit requirements will be cited as a violation and the community will follow its enforcement procedures to address all violations in a timely manner.

Post-Damage event San Patricio County Floodplain Office will be responsible for conducting a field tour of the SD structures to verify that all development activity occurring is covered by a floodplain permit. Any situations found during this field tour where development is occurring that has not been permitted will be flagged as violations and the San Patricio County Floodplain Office will follow its enforcement procedures to resolve the violation in a timely manner.

All violations and enforcement actions will be documented by San Patricio County Floodplain Office and kept. Records of these actions will be maintained for the properties in question in perpetuity.

## **V. Substantial Damage Plan Implementation and Updates**

### **A. Implementation Actions**

The San Patricio County Floodplain Office will complete the actions summarized in Table 3 to implement the SD Plan.

**Table 3. Summary of San Patricio County Floodplain Office Implementation Actions Timeframes and Staff Leads**



Implementation Action	Timeframe	Responsible Staff
Adopt finalized SD Plan.	Within three months of SD Plan finalization.	Floodplain Administrator, Community Leadership
Complete neighborhood SD mitigation actions.	Fall 2025	Floodplain Administrator, Emergency Manager
Complete individual property mitigation actions.	Example: Spring 2026	Floodplain Administrator, Emergency Manager

## B. Periodic Review & Evaluation Report Overview

The San Patricio County Floodplain Office will review this SD Plan Yearly The review will be completed by an internal team consisting of Floodplain office and Emergency Management office. An evaluation report will be prepared by the internal team to document the updates needed for the SD plan. Update Process and Timeline

## C. Update Process and Timeline

Updates to the San Patricio County Floodplain SD plan will be made prior to June 1st yearly. Updates will be prepared by the staff of the Floodplain Office, then circulated for review to the Emergency Management Office, including the County Judge. Once finalized, the updated SD plan will be presented to community leadership and adopted by the community during the first week of June yearly.

## Glossary

Key terms used in this SD Plan are defined in this section.

**Development:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. (Source: 44 CFR 59.1, <https://www.fema.gov/glossary/development>)

**Mitigation:** An action to reduce the loss of life and property by lessening the impact of disasters. (Source: <https://www.fema.gov/fact-sheet/mitigation-homeowners>)

**Regulatory Floodplain:** The areas where the NFIP's floodplain management regulations must be enforced. This is the Special Flood Hazard Area (SFHA) and any areas in addition to the SFHA that the community regulates under its local floodplain regulations.

**Special Flood Hazard Area (SFHA):** An area having special flood, mudflow or flood-related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM) with the designation of Zone A, AO, A1-A30, AE,



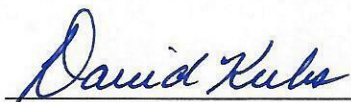
A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V. The SFHA is the area where the NFIP's floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. (Source: <https://www.fema.gov/glossary/special-flood-hazard-area-sfha>)

**Substantially Damaged (SD) Building:** A building that has incurred damage of any origin whereby the cost of restoring the building to its before damaged condition would equal or exceed 50% of the market value of the building before the damage occurred. (Source: <https://www.fema.gov/about/glossary>)

**Substantial Improvement (SI):** A building that has undergone reconstruction, rehabilitation, addition, or other improvement, the cost of which equals or exceeds 50% of the market value of the building before the "start of construction" of the improvement. This term does not include a building that has undergone reconstruction, rehabilitation, addition, or other improvement related to:

1. Any project or improvement of a building to correct existing violations of a state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic building", provided that the alteration will not preclude the structure's continued designation as a "historic building." (Source: <https://www.fema.gov/about/glossary>)

APPROVED IN COMMISSIONERS COURT ON 28 JULY 2025.

A handwritten signature in blue ink, reading "David Krebs", is positioned above a horizontal line.

David Krebs, County Judge, San Patricio County